

FILED

June 4 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 09-0659

C.A. GRENZ,

Petitioner and Appellee,

v.

MONTANA DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION,

Respondent and Appellant,

and JOHN AND ANGELA HEITZ,

Respondents.

FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

Pursuant to the Internal Operating Rules of this Court, this cause is classified for oral argument before the Court sitting en banc and is hereby set for argument on Wednesday, July 28, 2010, at 1:30 p.m. in the Courtroom of the Montana Supreme Court, Justice Building, Helena, Montana. Appellant shall have twenty-five (25) minutes for argument and Appellee shall have twenty (20) minutes.

Counsel are directed to focus their arguments on the issue of whether Appellant Department of Natural Resources and Conservation adopted A.R.M. 36.25.125(3), in derogation of § 77-6-302, MCA, and § 77-6-303, MCA.

The Clerk is directed to mail copies of this order to all counsel of record and to the Honorable Gary L. Day, District Judge.

DATED June 3, 2010.

For the Court,

By



Acting Chief Justice